

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION**

DERRICK ROBERTSON,  
ADC# 96007

PETITIONER

v.

NO. 5:13CV00250 JLH/BD

RAY HOBBS, Director,  
Arkansas Department of Correction

RESPONDENT

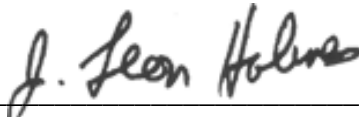
**ORDER**

The Court has reviewed the Recommended Disposition (“Recommendation”) filed by Magistrate Judge Beth Deere. In addition, the Court has considered Derrick Robertson’s objections to the Recommendation and has reviewed *de novo* those portions of the Recommendation to which Robertson objects.

After careful consideration, this Court adopts the Recommendation as its own. Respondent’s motion to dismiss (docket entry #9) is granted, and Robertson’s petition for writ of habeas corpus (docket entry #2) is denied and dismissed, with prejudice.

When entering a final order adverse to a habeas corpus petitioner, the Court must issue or deny a certificate of appealability. Rule 11 of the Rules Governing Section 2254 Cases. A certificate of appealability may issue only if a petitioner has made a substantial showing of the denial of a constitutional right. 28 U.S.C. § 2253(c)(1)-(2). In this case, there is no basis for this Court to issue a certificate of appealability. Accordingly, a certificate of appealability is denied.

IT IS SO ORDERED this 1st day of November, 2013.

  
UNITED STATES DISTRICT JUDGE